



1754
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TC 1700

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	16	Attorney Docket Number	02307O-114840US
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ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Petition Under 37 CFR 1.181(a) to Withdraw Holding of Abandonment (3pp); Exhibit A (5pp); Exhibit B (4pp); Exhibit C (2pp); Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

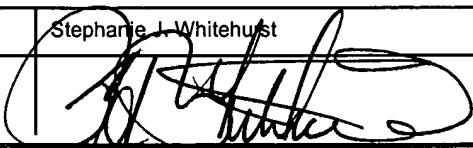
The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Todd Esker	
Signature		
Date	September 15, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Stephanie J. Whitehurst		
Signature		Date	September 15, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On SEPTEMBER 15, 2002

TOWNSEND and TOWNSEND and CRAWFORD

By: Stephanie T. Whitehurst

PATENT
Attorney Docket No.: 02307O-114840US
Client Ref. No.: 90-008-4

RECEIVED
SEP 24 2003
TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carol J. Lovatt

Application No.: 09/637,621

Filed: August 11, 2000

For: NOVEL FORMULATION OF
PHOSPHORUS FERTILIZER FOR
PLANTS

Customer No.: 20350

Confirmation No.: 8347

Examiner: Langel, W.

Technology Center/Art Unit: 1754

PETITION UNDER 37 C.F.R. § 1.181(a)
TO WITHDRAW HOLDING OF
ABANDONMENT

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed August 27, 2002, Applicants respectfully petition under 37 C.F.R. § 1.181(a) and MPEP § 711.03 to withdraw the holding of abandonment for the above-referenced patent application.

As evidence, the following items are submitted herewith:

Exhibit A: A copy of the Revocation, Substitution, and Change of Correspondence Address notice for this application.

Appl. No. 09/637,621
Petition dated September 15, 2003
Reply to Notice of Abandonment of August 27, 2002

PATENT

Exhibit B: A copy of the Notice of Allowance for this application.

Exhibit C: A copy of the Notice of Abandonment for this application.

REMARKS

Applicants understand the sequence of events leading to the abandonment to be substantially as set forth herein. Majestic, Parsons, Siebert and Hsue ("Majestic") originally had power of attorney in the prosecution of this application. Applicants changed the power of attorney to Townsend and Townsend and Crew ("Applicants' representative") through a Revocation, Substitution, and Change of Correspondence Address notice dated March 12, 2001. A copy of the Revocation, Substitution, and Change of Correspondence Address notice for this application is enclosed as Exhibit A. On April 12, 2002, the Examiner mailed a Notice of Allowance in the case, setting a three-month period for response. A copy of the cover sheet of the Notice of Allowance is enclosed as Exhibit B. Applicants note that the Notice of Allowance was addressed and mailed to Majestic, the attorneys previously involved in the prosecution of this application. Consequently Applicants' representative did not receive the Notice of Allowance. On August 27, 2002, the Examiner mailed a Notice of Abandonment in the case. A copy of the Notice of Abandonment is enclosed as Exhibit C. Applicants note that the Notice of Abandonment was also addressed and mailed to Majestic. Again, Applicants' representative did not receive the Notice of Abandonment. Applicants' representative only became aware of the misdirected Notices after sending a Status Request on June 25, 2003. Applicants' representative was only able to file this petition after receiving faxed copies of Exhibits B and C from the Examiner on September 9, 2003.

Applicants contend that the evidence provided herein establishes a lack of receipt of the Notice of Allowance mailed April 12, 2002. As the misdelivery of the Notice of Allowance was due to the actions of the PTO, Applicants respectfully petition under 37 C.F.R. § 1.181(a) and MPEP § 711.03 to withdraw the holding of abandonment. Petitions filed under these provisions do not require a fee.

Appl. No. 09/637,621
Petition dated September 15, 2003
Reply to Notice of Abandonment of August 27, 2002

PATENT

Should the petition to withdraw the holding of abandonment not be granted, Applicants petition in the alternative to revive the above-referenced application under 37 C.F.R. § 1.137(b) as unintentionally abandoned for failure to timely respond to the Notice of Allowance mailed April 12, 2002. Applicants request revival of the application. Applicants herewith:

1. Authorize deduction of the petition fee, pursuant to 37 C.F.R. § 1.17(m), in the amount of \$650.00 for a small entity.
2. State that the entire delay in filing the petition pursuant to 37 C.F.R. § 1.137(b)(3), from the due date for the payment of the Issue Fee to the filing of a grantable petition, including the delay from the date of discovery of the abandonment of the application, was unintentional.

Please charge any additional fees or credit overpayment to Deposit Account No. 20-1430 of the undersigned. This petition is submitted in duplicate.

CONCLUSION

If a telephone conference would expedite consideration of this matter, the Examiner is invited to telephone the undersigned at (415) 576-0200.

Respectfully submitted,


Todd Esker
Reg. No. 46,690

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
TE:te
60038957 v1



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

On March 12, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Kathryn A. Duglinson

PATENT
Attorney Docket No.: 023070-114840
Client Reference No.: 90-008-4

RECEIVED

SEP 24 2003

TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carol J. LOVATT

Application No.: 09/637,621

Filed: August 11, 2000

For: NOVEL FORMULATION OF
PHOSPHOROUS FERTILIZER
FOR PLANTS

Examiner: Wayne A. LANGE

Art Unit: 1754

**REVOCATION AND SUBSTITUTION
OF POWER OF ATTORNEY AND
CHANGE OF CORRESPONDENCE
ADDRESS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.36, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA dated MAY 2, 1994, the assignee of the entire interest in the above-identified subject application, by way of assignment recorded in the United States Patent and Trademark Office on May 5, 1994, at reel 6970, frame 0853, hereby revokes all previous powers of attorney and appoints the following: Kevin L. Bastian, Reg. No. 34,774; Eric J. Baude, Reg. No. P-47,413, M. Henry Heines, Reg. No. 28,219; Matthew E. Hinsch, Reg. No. P-47,651; Laurence J. Hyman, Reg. No. 35,551; Jeffry S. Mann, Reg. No. 42,837; Annette S. Parent, Reg. No. 42,058; Peter K. Seperack, Reg. No. P-47-932, J. David Smith, Reg. No. 39,839, William M. Smith, Reg. No. 30,223; Joseph R. Snyder, Reg. No. 39,381; Eugenia Garrett-Wackowski, Reg. No. 37,330; Ellen Lauver Weber, Reg. No. 32,762; Kenneth A. Weber, Reg. No. 31,677; William B. Kezer, Reg. No. 37,369.; all of the firm of Townsend and Townsend

Carol J. Lovatt.
Application No.: 09/637,621
Page 2

PATENT

and Crew LLP, as its attorneys to transact all business in the United States Patent and Trademark Office connected with this patent, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with 37 CFR § 3.71.

Please direct all telephone calls to Jeffry S. Mann at (415) 576-0200 and all correspondence relative to said patent to the following address:

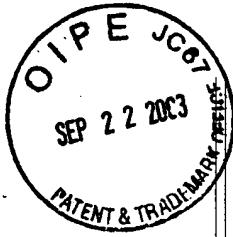
Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834

ASSIGNEE: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

March 12, 2001
Date
SF 1197578 v1

Signature:
Typed Name:

Linda S. Stevenson
Linda S. Stevenson



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

On March 12, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Kathryn A. Duganston

PATENT
Attorney Docket No.: 2307O-114840
Client Reference No.: 90-008-4

RECEIVED
SEP 24 2003
TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Carol J. Lovatt

Application No.: 09/637,621

Filed: August 11, 2000

For: NOVEL FORMULATION OF
PHOSPHOROUS FERTILIZER
FOR PLANTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Examiner: Wayne A. LANGE

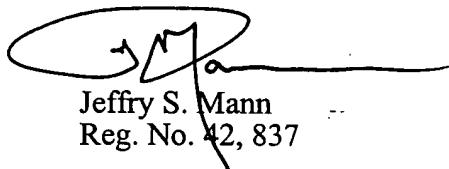
Art Unit: 1754

**CHANGE OF ATTORNEY DOCKET
NUMBER**

Please change the attorney docket number for this patent application to:

2307O-114840

Respectfully submitted,


Jeffry S. Mann
Reg. No. 42,837

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JSM/kad



Atty Docket No. 2307O-114840US

PTO FAX NO.: (703) 872-9310

ATTENTION: Examiner: Wayne A. Langel
Group Art Unit 1754

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SEP 24 2003
TC 1700

**OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER WAYNE A. LANGEL**

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the attached Revocation and Substitution of Power of Attorney and Change of Correspondence Address, and Change of Attorney Docket Number, in re Application of Carol J. Lovatt, Application No. 09/637,621, filed August 11, 2000 for NOVEL FORMULATION OF PHOSPHOROUS FERTILIZER FOR PLANTS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

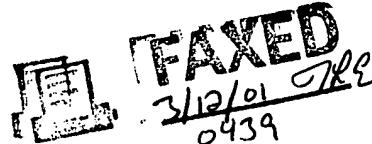
Number of pages being transmitted, including this page: 7

Dated: March 12, 2001

Kathryn A. Deglant (4443)

*PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300*

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Fax: (415) 576-0300



*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0439
CONNECTION TEL ##96747#17038729310
SUBADDRESS
CONNECTION ID
ST. TIME 03/12 13:43
USAGE T 01 '22
PGS. SENT 4
RESULT OK

Atty Docket No. 23070-114840US

PTO FAX NO.: (703) 872-9310

ATTENTION: Examiner: Wayne A. Langel
Group Art Unit 1754

**OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER WAYNE A. LANGEL**

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the attached Revocation and Substitution of Power of Attorney and Change of Correspondence Address, and Change of Attorney Docket Number, in re Application of Carol J. Lovatt, Application No. 09/637,621, filed August 11, 2000 for NOVEL FORMULATION OF PHOSPHOROUS FERTILIZER FOR PLANTS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 4



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
www.uspto.gov

9

NOTICE OF ALLOWANCE AND FEE(S) DUE

020227

7590

04/12/2002

MAJESTIC PARSONS SIEBERT & HSUE
 SUITE 1100
 FOUR EMBARCADERO CENTER
 SAN FRANCISCO, CA 94111-4106

EXAMINER

LANGEL, WAYNE A

ART UNIT

CLASS-SUBCLASS

1754

071-011000

DATE MAILED: 04/12/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,621	08/11/2000	Carol J Lovatt	2500.096US8	8347

TITLE OF INVENTION: NOVEL FORMULATION OF PHOSPHORUS FERTILIZER FOR PLANTS

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
6	nonprovisional	YES	\$640	\$0	\$640	07/12/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.113 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.
 See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 9

This is a communication from the examiner in charge of this application.
 COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

This communication is responsive to the Terminal Disclaimer filed 3-22-02.

The allowed claim(s) is/are 25-30

The drawings filed on _____ are acceptable as formal drawings.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

All Some* None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. _____.

Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. THIS DATE IS NOT PERTINENT TO THE FILING DATE OF THIS COMMUNICATION. THE FILING DATE IS EXTENDABLE UNDER 37 CFR 1.136(b).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 8
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152
- Interview Summary, PTO-413
- Examiner's Amendment/Comment
- Examiner's Comment Regarding Requirement for the Deposit of Biological Material
- Examiner's Statement of Reasons for Allowance

Wayne A. Langel
 Wayne A. Langel
 Primary Examiner

PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

Box ISSUE FEE
 Assistant Commissioner for Patents
 Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

020227 7590 04/12/2002

MAJESTIC PARSONS SIEBERT & HSUE
 SUITE 1100
 FOUR EMBARCADERO CENTER
 SAN FRANCISCO, CA 94111-4106

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,621	08/11/2000	Carol J Lovatt	2500.096US8	8347

TITLE OF INVENTION: NOVEL FORMULATION OF PHOSPHORUS FERTILIZER FOR PLANTS

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
6	nonprovisional	YES	\$640	\$0	\$640	07/12/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
LANGE, WAYNE A	1754	071-011000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee
 Publication Fee
 Advance Order - # of Copies _____

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,621	08/11/2000	Carol J Lovatt	2500.096US8	8347
020227	7590	04/12/2002	EXAMINER	
MAJESTIC PARSONS SIEBERT & HSUE SUITE 1100 FOUR EMBARCADERO CENTER SAN FRANCISCO, CA 94111-4106			LANGE, WAYNE A	
			ART UNIT	PAPER NUMBER
			1754	
DATE MAILED: 04/12/2002				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,621	08/11/2000	Carol J Lovatt	2500.096US8	8347
20227	7590	08/27/2002	EXAMINER	
MAJESTIC PARSONS SIEBERT & HSUE SUITE 1100 FOUR EMBARCADERO CENTER SAN FRANCISCO, CA 94111-4106			LANGE, WAYNE A	
ART UNIT		PAPER NUMBER		
1754		PH 10		
DATE MAILED: 08/27/2002				

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/637,621			

Attn: Todd
Eskar

EXAMINER

ART UNIT

PAPER NUMBER

PT#10

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

Applicant's failure to timely file a proper response to the Office letter mailed on _____.
 A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
 A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)

No response has been received.

Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
 The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
 The issue fee has not been received.

Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
 The proposed new formal drawings filed _____ are not acceptable.

No proposed new formal drawings have been received.

The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.

The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

The reason(s) below: